

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
MAUREEN DOWE; ELVIE MOORE; and ESTHER :  
BUCKRAM, individually and on behalf of :  
those Class members similarly : 18cv11633 (DLC)  
situated, :  
:  
: ORDER  
Plaintiffs, :  
-v- :  
:  
PRUDENTIAL FINANCIAL INC., parent and :  
successor in interest to PRUDENTIAL :  
SECURITIES, INC.; ERIC SCHWIMMER; and :  
JOHN DOES 1-25, fictitious persons and :  
entities, :  
:  
Defendants. :  
:  
-----X

DENISE COTE, District Judge:

This action was filed on December 12, 2018. An Opinion and Order of November 22, 2019 granted a motion to compel arbitration of plaintiff's claims against Prudential Financial Inc. ("Prudential") and Eric Schwimmer. An Order of the same day required the parties to file a status letter concerning the arbitration of those claims by May 22, 2020. Counsel for Prudential and Schwimmer filed such a letter, indicating that the plaintiffs have not commenced any arbitration proceedings in the intervening six months. Also on May 22, plaintiffs' counsel filed a letter stating that new counsel may appear on plaintiffs' behalf and requesting that the Court delay any

action until new counsel files a notice of appearance. No such new counsel has yet appeared. Accordingly, it is hereby ORDERED that plaintiffs have until **June 5, 2020** to commence arbitration proceedings. Plaintiffs are warned that if such proceedings are not commenced, their claims against Prudential and Schwimmer may be dismissed with prejudice.

IT IS FURTHER ORDERED that plaintiffs shall file, by **June 12**, a status letter indicating the status of arbitration or any opposition to the dismissal of their claims against Prudential and Schwimmer.

IT IS FURTHER ORDERED that plaintiffs' request for further delay so that they can consult new counsel is denied.

Dated:      New York, New York  
                  May 26, 2020

  
\_\_\_\_\_  
DENISE COTE  
United States District Judge